

## Privacy policy

Effective date:

May 15, 2020

We value the trust that you place in us by sharing your personal data with us. Mawi Solutions OU (Mawi Solutions or “We”) takes your privacy seriously and is committed to handling your personal data in a way that is fair and worthy of that trust. Mawi Solutions will take all reasonable steps to protect your information from misuse and keep it secure. We believe it is important to inform you about how we will use your personal data, what rights you have relating to your personal data. Therefore, we encourage you to read this privacy policy carefully.

This Mawi Vital mobile app (the “Service” or “App”) is made available to you by the Mawi Solutions (<https://vital.mawi.band>), a company under Estonian law, established as private limited company, registered in Tallinn, Estonia under company number 14345719, registered address is Peterburi tee 47 Lasnamäe linnaosa, Tallinn Harju maakond 11415.

App displays a number of your wellness parameters and saves it all to the history based on questionnaires and device collected vital signs data . Wellness parameters and functionality depends on the App version and may vary.

If you choose to, we will process your personal data as described hereunder this Privacy Policy. In this case, Mawi Solutions OU will act as a controller under applicable data protection law, which, from 25 May 2018, includes EU Regulation 2016/679 General Data Protection Regulation (“GDPR”).

### 1. Definitions

«User» - means the individual accepting the terms of this Privacy Policy and Terms and Conditions for the reason of using Service;

«Service» - means any service provided by Mawi Solutions to Users under Terms and Conditions and Privacy Policy concerning the use of connected devices and this mobile application up to its functionality;

«User ID», «Personal ID» means unique user identifier created by Mawi system that is used for getting access to user’s personal data;

«Personal data» means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

«Processing» means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

«Controller» means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law. In aspect of this Privacy Policy Mawi Solutions is a controller;

«Processor» means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

## 2. Personal data we collect

We ask you for certain personal data to provide you with the Service you request. For your comfort, we structured information in following categories:

**General Information.** This personal data includes:

- ✓ contact details including name, email;
- ✓ login and account information, including password and unique user ID;
- ✓ personal details including gender, date of birth;
- ✓ Information regarding your use of App and Service and history of requests to our support team;
- ✓ Cookies, IP address, data identifying your operating system version.

We use cookies, clear GIFs/pixel tags, JavaScript, local storage, log files, and other mechanisms to automatically collect and record information about your in App activity, and use of the App. We may combine this “activity information” with other personal data we collect about you. Generally, we use this activity information to understand how our App is used, track bugs and errors, improve our App, verify account credentials, allow logins, track sessions, prevent fraud, and protect our App. More information you can find below in section 3.

**Special categories of personal data (sensitive data).** We also collect information you voluntarily provide to us in relation to your physique in order to provide you with the Service. This personal data may - by itself or in combination - reveal information about your **health**. The special categories of data include:

- ✓ data on physical characteristics, including weight (and it’s changes), height and other body measurements;
- ✓ fitness activity data provided by you or generated through App or connected device (time distance, steps amount, calorie count, sleep activities);
- ✓ your test and measurement results include: heart rate, body temperature, blood oxygen saturation, blood pressure, BMI, raw EKG data, and other wellness parameters.

In addition, during using our Services, we may also collect and use exact information regarding **your location** (GPS data). In any case we will use such information only with your prior consent (permission) and only for the reason to make connection with the device. Location service is required by Android for Bluetooth Low Energy (BLE) scanning, thus, the app needs it to be enabled on your mobile phone and permission to use it to connect your phone with the device.

We will only use health and location data you voluntarily provide us and such only with your prior consent and only for the purposes set out in this Privacy Policy. You may revoke your consent at any time, as set out below.

### 3. Analytics

We may use third-party Service Providers to monitor and analyze the use of Service.

- **We use Google Analytics** to analyse the use of this App. Google Analytics generates statistical and other information about App use. The information generated relating to our App is used to create reports about the use of the App. Google will store this information. Google's privacy policy is available at: [www.google.com/privacypolicy.html](http://www.google.com/privacypolicy.html)
- **We use Mixpanel.** Mixpanel is provided by Mixpanel Inc. You can prevent Mixpanel from using your information for analytics purposes by opting-out. To opt-out of Mixpanel service, please visit this page: <https://mixpanel.com/optout/> For more information on what type of information Mixpanel collects, please visit the Terms of Use page of Mixpanel: <https://mixpanel.com/terms/>
- **We use Inapptics** (<https://inapptics.com>) service provided by Inapptics, Inc. with the aim to improve our service by analyzing user behavior in mobile app (taps, swipes, navigation, etc). For more information on what type of information Inapptics collects, please visit [Inapptics Privacy Policy \(https://inapptics.com/privacy-policy/\)](https://inapptics.com/privacy-policy/), [Inapptics Terms And Conditions Of Use \(https://inapptics.com/terms-of-use/\)](https://inapptics.com/terms-of-use/) .
- We use Zendesk service provided by Zendesk, Inc. (<https://www.zendesk.com/>) for personalized support of our customers and the app users and for customer interactions. For more information on what type of information Zendesk collects, please visit [Zendesk Privacy Policy \(https://www.zendesk.com/company/customers-partners/privacy-policy/\)](https://www.zendesk.com/company/customers-partners/privacy-policy/) , [Zendesk Terms of Use \(https://www.zendesk.com/company/customers-partners/terms-of-use/\)](https://www.zendesk.com/company/customers-partners/terms-of-use/) ) and [EU Data protection \( https://www.zendesk.com/company/customers-partners/eu-data-protection/ \)](https://www.zendesk.com/company/customers-partners/eu-data-protection/) page.

### 4. Why and how do we use your personal data

The legal basis for processing your Personal data is art. 6(1)(a) of the EU General Data Protection Regulation (GDPR).

We may use the personal data referred to in the subsection ‘Special Categories of Personal Data’ (i.e. health data and location data) for the purposes set out in this Privacy Policy but we will only do so after we have received your consent. You can withdraw your consent at any time; see the section [Your Rights](#) below.

Our use of your personal data is limited to that which is reasonably required in order to enable your use of the App, to provide our service to you and also to make improvements to the App and our Service which benefit both us and you. We do not use your personal data for any reasons not stated in this Privacy Policy and never use it in an excessive manner that is disproportionate to our aims of providing and improving our service or in a way that is contrary to your interests.

We use the information that we collect for the following purposes:

✓ **To provide the features of the App and the Service you request.**

When you use our App, we will process your personal data to provide the requested Service.

If you decide to become a user of our App, we need to process your data to identify you as a user of the App and grant you access to its various functionalities. We only process the personal data that are strictly necessary to manage or resolve your request based on the App functionalities.

✓ **To improve our Service.**

We may use personal data about how you use our App and Service to enhance your user experience and to help us diagnose technical and service problems and administer our Apps.

✓ **To protect our or others' rights, property or safety**

We may also use your personal data about how you use Apps to prevent or detect fraud, abuse, illegal use, violations of our Terms and Conditions, and to comply with court orders, governmental requests or applicable law.

✓ **For general research and analysis purposes**

We use data about how Users use our App and Service to understand User preferences. In addition, we can use your anonymized data for scientific purposes concerning Service.

## 5. Your rights as a Data Subject

We undertake to keep your personal data confidential and to ensure that you may exercise your rights. In that aspect, you may exercise your rights free of charge by writing us an e-mail to a single e-mail address ([support@mawi.band](mailto:support@mawi.band)), simply informing us of the reason for your request and the right that you wish to exercise. If we consider this necessary to be able to identify you, we may request you to provide a copy of a document evidencing your identity.

You have the following rights:

✓ To request access to your personal data that we hold. We remind you that you can realized this right through the section “Settings” of App.

✓ To request that we rectify the personal data that we hold. Please bear in mind that you may also change or update your personal data in the relevant section of App. In any case, please take into account that you guarantee that your data is true and accurate and you undertake to notify to us any change or modification of your data by updating your Profile data in App. Please remember that, as a general rule, you must provide us only with your own data, not with those of third parties.

✓ To request the portability of your personal data. This means that you will have the right to receive the personal data that you made available to us in a structured, commonly used and machine-legible format, to be able to transmit them to another entity directly without impediments on our part.

✓ To request that we cancel or limit the processing of your personal data, which entails that in certain cases you can request us to temporarily suspend the processing of the data or that we keep them longer that necessary. Please note, that in this case you could not use App.

✓ To erasure (also known as the right to be forgotten). We erase your personal data to the extent that it's no longer necessary for the purpose for which we need to keep processing it or when we are no longer legally permitted to process it or if you withdraw consent. You can exercise this right either by contacting us or by clicking on the «Delete my account» through the relevant section of App.

✓ Rights relating to automated decision-making and profiling. We do not, however, use your personal data in the way, based on automated decision-making which produces legal effects on the User.

Also you have the right to withdraw your consent for processing personal data at any time. To do so please contact us by email: [support@mawi.band](mailto:support@mawi.band) or Delete your account in App.

Finally, we inform you that you have the right to file a claim before the responsible data protection regulatory authority:

[http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](http://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm)

For more information about our use of your personal data or exercising your rights as outlined above, please contact us.

## **6. Data security**

We follow generally accepted industry standards to protect the information submitted to us, both during transmission and once we receive it. We maintain appropriate administrative, technical and physical safeguards to protect Personal Data against accidental or unlawful destruction, accidental loss, unauthorized alteration, unauthorized disclosure or access, misuse, and any other unlawful form of processing of the Personal Data in our possession. We use HTTPS technology to encrypt data during transmission through public internet.

However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. We cannot ensure or warrant the security of any information you transmit to us and you do so at your own risk. We also cannot guarantee that such information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. If you believe your Personal Data has been compromised, please contact us as set forth in the “[How to Contact Us](#)” section.

## **7. How long do we keep your personal data?**

We will retain your information for as long as your account is active (not deleted) or as needed to provide you services or until your consent is not withdrawn. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes and enforce our agreements.

If you wish to delete your account, you can do so using the «Delete My Account» in the App. All personally identifying information is deleted on your request.

Please note, that after 30-day period of non-use of the App, your data may be deleted, even if you don't take any action to do so by yourself. We may also choose to irreversibly anonymise data instead of deletion. Any way, we will inform you before taking such actions.

## **8. How do we store or/and transfer your Data?**

EU customers' database will be hosted in Digital ocean cloud computing platform, storage located in Amsterdam, the Netherlands. This means that your Personal data will be fully protected under the GDPR.

We may pass your personal data on to third-party service providers contracted to Mawi Solutions in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only for the legitimate reasons they were obtained for originally. When they no longer need your data, they will dispose of the details in line with Mawi's procedures as set out in the contracts signed with them.

Data transfers out of the EEA.

The personal data we collect (or process) in the context of our Apps will be stored in the European Economic Area EEA. Some of the data recipients with whom Mawi Solutions shares your personal data may be located in countries other than the country in which your personal data originally was collected and outside the EEA. The laws in those countries may not provide the same level of data protection compared to the country in which you initially provided your data. Nevertheless, when we transfer your personal data to recipients in other countries, including outside the EEA, we will protect that personal data as described in this privacy policy and in compliance with applicable law.

We use a variety of measures to ensure that your personal data transferred to these countries receives adequate protection in accordance with data protection rules.

## **9. How do we share Data? (To whom we disclose information)**

Except as described in this Policy and Terms and Conditions, we will not intentionally disclose the Personal Data that we process to third parties without your consent of the applicable User.

In case your App account is connected with Mawi Vital Platform, you can give access to your personal data to (share it with) definite users of dashboard (doctor, manager etc). For that reason, it is necessary to disclose your User ID (Personal ID) to such persons.

Please note that Mawi solutions takes no responsibility for actions that could be taken with your personal data by such persons unless such persons are employees, contractors or subcontractors of Mawi Solutions.

We may disclose information to third parties if you consent to us doing so, as well as in the following circumstances:

### **✓ Service Providers.**

We work with third party service providers who provide application development, hosting, maintenance, and other services for us. These third parties may have access to, or process Personal Data as part of providing those services for us. We limit the information provided to these service providers to that which is reasonably necessary for them to perform their functions, and our contracts with them require them to maintain the confidentiality of such information. Our contracts with these service providers do not permit use of your information for their own (marketing) purposes. Consistent with applicable legal requirements, we take reasonable steps to require third parties to adequately safeguard your personal data and only process it in accordance with our instructions.

### **✓ Law Enforcement, Legal Process and Compliance.**

We may disclose Personal Data or other information if required to do so by law or in the good-faith belief that such action is necessary to comply with applicable laws, in response to a facially valid court order, judicial or other government subpoena or warrant, or to otherwise cooperate with law enforcement or other governmental agencies.

We also reserve the right to disclose Personal Data or other information that we believe, in good faith, is appropriate or necessary to (i) take precautions against liability, (ii) protect ourselves or others from fraudulent, abusive, or unlawful uses or activity, (iii) investigate and defend ourselves against any third-party claims or allegations, (iv) protect the security or integrity of the

App and any facilities or equipment used to make the App available, or (v) protect our property or other legal rights, enforce our contracts, or protect the rights, property, or safety of others.

✓ **Change of Ownership.**

We may buy or sell/divest/transfer the company (including any shares in the company), or any combination of its products, services, assets and/or businesses. Your information such as customer names and email addresses, and other User information related to the Mawi may be among the items sold or otherwise transferred in these types of transactions. We may also sell, assign or otherwise transfer such information in the course of corporate divestitures, mergers, acquisitions, bankruptcies, dissolutions, reorganizations, liquidations, similar transactions or proceedings involving all or a portion of the company. You will be notified via email and/or a prominent notice on our Website of any change in ownership or uses of your personal information, as well as any choices you may have regarding your personal information.

✓ **Non Personally Identifiable Information.**

We may make certain automatically-collected, aggregated, or otherwise non-personally-identifiable information available to third parties for various purposes, including (i) compliance with various reporting obligations; (ii) for business or marketing purposes; or (iii) analytic and scientific purposes. Provided such information does not identify a particular individual.

## **10. Children's privacy**

Protecting the privacy of young children is especially important. Our App is not directed to children under the age of 18, and we do not knowingly collect Personal Data from children under the age of 18 without obtaining parental consent. If you are under 18 years of age, then please do not use or access the App at any time or in any manner. If we learn that Personal Data has been collected from persons under 18 years of age and without verifiable parental consent, then we will take the appropriate steps to delete this information. If you are a parent or guardian and discover that your child under 18 years of age has obtained an Account, then you may alert us and request that we delete that child's Personal Data from our systems.

## **11. Personal Data breach**

With regard to Personal Data Breach caused by Mawi, Mawi shall:

✓ In accordance with GDPR Article 33 and 34, notify you without undue delay in the event of Personal Data Breach involving Personal Data;

✓ Use reasonable efforts to identify the cause of such Personal Data Breach and take those steps as Mawi deems reasonably practicable in order to remediate the cause of such Personal Data Breach.

✓ Provide reasonable assistance and cooperation as requested in the furtherance of any correction or remediation of any Personal Data Breach.

## **12. Changes to this Privacy Policy**

We may change our Privacy Policy from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection. All changes to this Privacy Policy are effective when they are posted here. When we change the policy,

we will let you know via email and/or a notice on our Site, prior to the change becoming effective and update the ‘effective date’ at the top of this page.

### **13. Data protection officer. How to contact us**

If you have any questions regarding the processing of your personal data or this Privacy policy, please contact the Mawi solutions Data Protection Officer by email: [support@mawi.band](mailto:support@mawi.band)

«Mawi Solutions OU»

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